



U.S. Department  
of Transportation

400 Seventh Street, S.W.  
Washington, D.C. 20590

Research and  
Special Programs  
Administration

MAR 9 2004

DOT-E 13207  
(THIRD REVISION)

EXPIRATION DATE: June 30, 2005

1. GRANTEE: BEI Hawaii  
Honolulu, Hawaii
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of sulfuric acid in five DOT Specification IM 101 portable tanks that do not conform with the filling density requirements specified in § 173.32(f)(5). This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.32(f)(5) in that a portable tank may not be loaded to a filling density of more than 20% and less than 80%, except as provided herein.
5. BASIS: This exemption is based on the application of BEI Hawaii, dated May 30, 2003 submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated January 15, 2004.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Sulfuric acid	8	UN1830	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Authorized packagings are five DOT Specification IM 101 steel portable tanks bearing owners following serial numbers:

SCZU 875751-7

SCZU 875753-8

SCZU 875755-9

ETNU 150036-5

ETNU 150035-0

b. TESTING - Each portable tank must be inspected and tested as specified for DOT Specification IM 101 portable tanks in 49 CFR Part 180, Subpart G.

c. OPERATIONAL CONTROLS - Portable tanks transported under the terms of this exemption must be filled to a minimum of 76% filling density for transportation from California to Hawaii. Only residual lading is permitted when tanks are being returned to California for refilling.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with all terms of this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

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c. Each portable tank must be plainly and durably marked "DOT-E 13207" as specified in §§ 172.302(b) and (c).

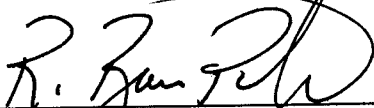
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle and cargo vessel used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
  - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



*fe* Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: PTO/d1